

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MEMORANDUM ENDORSED

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JOHN DISISTO,

**STIPULATION OF
VOLUNTARY
DISMISSAL WITH
PREJUDICE**

Plaintiff,

-against-

15-CV-03296 (GHW) (FM)

THE CITY OF NEW YORK, New York City Police
Department ("NYPD") Officer ("P.O.") JONATHAN
MUNOZ (Shield No. 20918), P.O. EDWIN FLOREZ (Shield
No. 22262) and P.O. JOHN DOE, in their individual
capacities,

Defendants.

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WHEREAS, Plaintiff Jason Disisto ("Plaintiff") commenced this action by the filing of a
Complaint on or about April 28th, 2015 alleging defendants City of New York, New York City
Police Officer Jonathan Munoz, and New York City Police Officer Edwin Florez violated
Plaintiff's federal civil and state common law rights; and

WHEREAS, Defendants have denied any and all liability arising out of Plaintiff's
allegations; and

WHEREAS, Plaintiff amended his Complaint on or about September 24th, 2015 naming
New York City Police Officer Daniel Cross as a Defendant; and

WHEREAS, Defendant Daniel Cross denied any and all liability arising out of Plaintiff's
allegations; and

WHEREAS, Defendants Munoz and Cross asserted cross-claims against Defendant City
of New York on or about October 26th, 2015; and

WHEREAS, Defendant City of New York has denied any and all liability arising out of Munoz and Cross' cross-claims; and

WHEREAS, Defendants Florez asserted cross-claims against Defendant City of New York on or about October 30th, 2015; and

WHEREAS, Defendant City of New York has denied any and all liability arising out of Florez' cross-claims; and

WHEREAS, Plaintiff and Defendant City of New York reached a settlement in this matter on or about February 5th, 2016; and

WHEREAS, Plaintiff now wishes to voluntarily dismiss all of his claims against Defendants Munoz, Cross, and Florez with prejudice;

WHEREAS, Defendants Munoz, Cross, and Florez, now wish to voluntarily dismiss their cross-claims against Defendant City of New York, with prejudice;

NOW THEREFORE IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follow:

1. The above-referenced action is hereby voluntary dismissed against Defendants Munoz, Cross, and Florez, with prejudice, and without costs, expenses, or attorney's fees to those Defendants.
2. Defendants Munoz, Cross, and Florez' cross-claims against Defendant City of New York are voluntarily dismissed, with prejudice, and without costs, expenses, or attorney's fees to Defendant City of New York.
3. Nothing contained herein shall be deemed to be an admission by the defendants they have in any manner or way violated Plaintiff's rights, or the rights of any other

person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the united states, the State of New York, or the City of New York.

4. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

Dated: New York, New York

_____, 2016

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By: _____

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John Arlia

person or entity, as defined in the constitution, statutes, ordinances, rules or regulations of the united states, the State of New York, or the City of New York.

4. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

Dated: New York, New York

FEB. 25, 2016

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The parties have stipulated to the dismissal of this action under Rule 41(a)(1)(A)(ii).

Dated: March 1, 2016

New York, New York


GREGORY H. WOODS
United States District Judge